



**State of Utah**

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**GARY R. HERBERT**  
*Lieutenant Governor*

**Department of  
Workforce Services**

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**CHRISTOPHER W. LOVE**  
Deputy Director

**JOHN E. NIXON, CPA**  
Deputy Director

September 8, 2005

Utah Department of Workforce Services  
Ms. JoAnne Campbell, Director  
Human Resources Division  
140 East 300 South  
Salt Lake City, UT 84111

Re: Discrimination Complaint  
Request for Mediation

Dear Ms. Campbell:

As the Department of Workforce Services' (DWS) Equal Opportunity Officer, I received a complaint of discrimination filed against DWS by Mr. XXXXXX. Mr. XXXXX alleges he has been denied numerous employment opportunities with DWS based on his age. He has requested mediation as an option for resolution to the complaint.

Mediation is an informal process offered by DWS as an alternative to the traditional, and often adversarial, investigative process. It is a voluntary choice, as required by the Equal Opportunity provisions of the Workforce Investment Act, 29 CFR part 37, §37.76,4(c)(1), to the person(s) filing the complaint. Mediation sessions are strictly confidential and provide a non-adversarial environment for both parties to discuss the allegations of discrimination, and hopefully achieve a "win-win" resolution. While a mediation session is not a court proceeding, it is important to note, both parties have the right to legal representation in the mediation process.

Upon completion of the mediation session, the complaint will then be closed. A Notice of Final Action will be mailed to the complainant, and a copy mailed to the respondent. If the parties reach a resolution, the terms of the resolution will be written into a settlement agreement for both parties to sign. The Notice of Final Action will include information regarding both parties' right to file a separate complaint, if the terms of the agreement are breached.

If the parties do not reach resolution, the Notice of Final Action will include information regarding the complainant's right to file the complaint with the U.S. Department of Labor Civil Rights Center and/or other appropriate compliance agencies. The DWS Equal Opportunity Officer will send the Notice of Final Action within 15 days of notification from the Mediator that the session was not successful.

Mediation sessions are generally held at the DWS administration building, with an Administrative Law Judge serving as mediator. **The Administrative Law Judge will contact both parties as to the time, date, and place the mediation will be held.**

If you have questions or concerns regarding the mediation process, you may call me at 801-526-9445.

Sincerely,

Carolyn Parsons  
Equal Opportunity Officer

c:     XXXXXXXX  
      John Nixon  
      Greg Gardner  
      Michael Medley  
      Suzan Pixton  
      Mike Richardson  
      John Davenport